

STATE OF TEXAS §

DATE: JULY 12, 2016

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

## COMMISSIONERS COURT

AGENDA POSTING #2016 - 075

Be it remembered on this the 12<sup>th</sup> day Of JULY, 2016, the Honorable Commissioners Court met in "REGULAR" called meeting with the following officers and members present, to wit;

Honorable Sydney Murphy, County Judge Presiding.

Bob Willis - Commissioner Pct #1,

Ronnie Vincent - Commissioner Pct #2,

Milton Purvis - Commissioner Pct #3,

C.T. "Tommy" Overstreet - Commissioner Pct #4,

Schelana Hock - County Clerk And

Margie Ainsworth - County Auditor.

The following agenda items, orders and decrees were duly made, considered & passed.

1. WELCOMED & CALLED TO ORDER AT 10:00 A.M. BY JUDGE MURPHY.
  - INVOCATION LED BY JOE MCDONALD OF FIRST PRESBYTERIAN CHURCH.
  - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY JIM JOHNSON.

2. PUBLIC COMMENTS: NONE.

3. INFORMATIONAL REPORTS:

RACHEL IGLESIAS WITH CONGRESSMAN BRIAN BABIN'S OFFICE PRESENTED AN AWARD TO LIVINGSTON VOLUNTEER FIREMAN JAKE DOMINY FOR HIS HEROIC ACTION ON JULY 6, 2016.

JUDGE MURPHY THANKED ALL THE VOLUNTEER FIRE DEPARTMENTS FOR ALL THEY DO FOR THE COMMUNITY.

NANCY SMITH WITH TXDOT PRESENTED THE 2015 OFF-SYSTEM BRIDGE INSPECTION REPORTS.

LARRY PITTS, EMERGENCY MANAGEMENT COORDINATOR, ADVISED THAT PUBLIC ASSISTANCE

FOR POLK COUNTY HAD BEEN ADDED TO THE FEDERAL DISASTER DECLARATION FOR MAY 2016 FLOODING, IN ADDITION TO INDIVIDUAL ASSISTANCE PREVIOUSLY GRANTED WITH FEMA.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE MURPHY STATED ITEM B INCLUDES AN ADDENDUM IN THE AMOUNT OF \$116,924.52 AND THE ONLY QUARTERLY REPORTS RECEIVED FOR WARRANT SERVICE PROGRAM WAS FROM CONSTABLE PCT 2. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

A. APPROVE MINUTES FOR JUNE 28, 2016 (REGULAR MEETING).

B. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	FUND	CHECK #
6/22/16	1,290.00	General	121229-121319
6/22/16	14,921.76	General, DA Collection Fund	259701
6/23/16	300.00	General	259702
6/23/16	22,711.37	General	259703-259716
6/23/16	23,627.08	Gen, R&B 1-4, Pretrial Intervention, DA Collection Fund	259717-259746
6/24/16	157.50	General	259754-259755
6/24/16	36,077.57	Gen, R&B 1-4, Security, DA Special Fund, Aging, Juvenile Probation	259756
6/29/16	31,214.68	Historical Commission	1621
6/29/16	186.00	General	121320-121338
6/30/16	2,903.11	Grant Fund	851-852
6/30/16	7,112.88	Retiree Health Benefits Trust	112
6/30/16	41.71	Historical Commission	1622
6/30/16	246,516.69	Gen, R&B 1-4, Security, Aging, Juv Prob	259835-259842
6/30/16	43,341.61	General, R&B 3,4, Aging	259791-259828
7/1/16	367,831.72	Gen, R&B 1-4, Security, Aging, Adult Supervision, Juvenile Probation	119-124
7/1/16	151,009.03	Gen, R&B 1-4, Security, Aging, Adult Supervision, Juvenile Probation	125
7/1/16	3,466.66	Grant	853
7/1/16	1,842.00	General	121339-121405
7/1/16	18,127.74	General, Aging	259843-259846
7/1/16	2,992.40	General, R&B 1-4	259847-259851

7/1/16	5,240.42	Gen, R&B 1-4, Security, DA Special, Aging, Adult Supervision, Juvenile Probation	259852
7/1/16	6,049.76	General, R&B 3, Aging	259853
7/5/16	574.35	Sheriffs Fed Rev	1064
7/5/16	46.15	Sheriffs Fed Rev	1065
7/6/16	68,708.50	General, R&B 1-4, Aging, County Clerk Records Management	259854-259911
7/12/16	Addendum	\$116,924.52 (to appear on future schedule)	
<b>TOTAL</b>	<b>\$1,056,290.69</b>		

- C. RECEIVE CONSTABLES QUARTERLY REPORT FOR WARRANT SERVICE PROGRAM. (ONLY CONSTABLE PCT 2 SUBMITTED REPORT).
- D. RATIFY NON-FINANCIAL INTERAGENCY AGREEMENT RENEWING ANGELINA COLLEGE ADULT EDUCATION AND LITERACY SERVICES FOR JULY 1, 2016 TO JUNE 30, 2017.
- E. ACCEPT FEMA PRE-DISASTER MITIGATION GRANT AWARD "POLK COUNTY PLANNING GRANT".
- F. APPROVE PRECINCT 2 COMMISSIONERS REQUEST FOR ORDER OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF REDBUD RIDGE, AS SET ASIDE IN THE FINAL PLAT OF CREEKSIDE SECTION TWO SUBDIVISION OF POLK COUNTY, TEXAS, INCLUDING AN EXCEPTION TO PROVIDE FOR CREEKSIDE POA FUNDING IN THE AMOUNT OF \$22,229.05 TO BRING REDBUD RIDGE TO MINIMUM COUNTY STANDARDS. (SEE ATTACHED)
- G. APPROVE SHERIFF'S OFFICE RENEWAL APPLICATION FOR PARTICIPATION IN THE TEXAS LAW ENFORCEMENT SUPPORT OFFICE "1033 PROGRAM".
- H. APPROVE PAYMENT REQUEST NO. 1 TO WAY SERVICE LTD. FOR COUNTY ENERGY SAVINGS PROGRAM.
- I. APPROVE FILING OF CLAIM WITH STATE COMPTROLLER, PURSUANT TO GOVERNMENT CODE, SEC 61.0015(B) FOR REIMBURSEMENT OF A PORTION OF JUROR FEES PAID BY POLK COUNTY DURING THE PERIOD OF APRIL 1, 2016 THROUGH JUNE 30, 2016.

5. PERSONNEL MATTERS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING AND AUTHORIZE ONE EMERGENCY HIRING OF PRETRIAL SERVICES OFFICER.  
ALL VOTING YES. (SEE ATTACHED)

6. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE BUDGET REVISIONS #2016-18 AND AMENDMENTS #2016-18(A), AS PRESENTED BY THE COUNTY AUDITOR.

ALL VOTING YES. (SEE ATTACHED)

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES, AS FOLLOWS:

- (PCT 1) LOT 77, SECTION 9, LAKE LIVINGSTON VILLAGE, CAUSE #T15-099  
LOT 154, SECTION 8, LAKE LIVINGSTON VILLAGE, CAUSE #T15-229  
LOTS 56, 57 & 58, SECTION 3, LAKELAND HIDEAWAY, CAUSE #T09-150  
LOT 39, SECTION 8, LAKE LIVINGSTON VILLAGE, CAUSE #T12-484  
LOTS 88, 89, 159 & 160, SEC 8, LAKE LIVINGSTON VILLAGE, CAUSE #T12-484  
LOT 33, SECTION 1, FORESTER'S RETREAT, CAUSE #T15-097  
LOT 746, SECTION 3, FORESTER'S RETREAT, CAUSE #T15-176  
(PCT 2) LOTS 422 & 424, SECTION 3, WIGGINS VILLAGE #1, CAUSE #T15-430  
(PCT 4) LOT 217, SECTION 1, CRYSTAL LAKES, CAUSE #T09-228  
LOTS 1-4, BLOCK 1, PINECREST, CAUSE #T11-594

ALL VOTING YES.

8. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, APPROVAL TO CLOSE THE FY2016 REIMBURSEMENT RESOLUTION, FINALIZING ALL EXPENDITURES TO BE INCLUDED FOR ISSUANCE OF AUTHORIZED DEBT IN 2016 SERIES TAX NOTES (INCLUDING AUDITOR'S VERIFICATION OF THOSE EXPENDITURES PREVIOUSLY APPROVED) AND INCLUDING THOSE AUTHORIZED AND PENDING PAYMENT PRIOR TO SEPTEMBER 30, 2016 (OPEN INVOICING/BIDS), TOTAL TO BE AUTHORIZED \$128,087.

ALL VOTING YES.

COMMISSIONER WILLIS ADVISED COURT HE WOULD BE ABSTAINING FROM THE DISCUSSION AND VOTE OF AGENDA ITEM 9 AND THAT HE HAD FILED AN AFFIDAVIT WITH THE COUNTY CLERK.

DISCUSSION OF AGENDA ITEM 9 WITH CARL PIERCE & BRANDON WESTLAKE OF FIRST SOLAR, REGARDING THE GOODRICH SOLAR PROJECT.

9. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO PROCEED WITH THE CREATION OF A REINVESTMENT ZONE FOR POSSIBLE TAX ABATEMENT REGARDING

GOODRICH SOLAR, A SOLAR ELECTRIC GENERATION PROJECT PROPOSED BY FIRST SOLAR DEVELOPMENT, STATING THAT FIRST SOLAR WILL BE RESPONSIBLE FOR ALL LEGAL FEES AND OTHER EXPENSES RELATED TO THE CREATION OF THE ZONE.

ALL VOTING YES. COMMISSIONER WILLIS ABSTAINED.

DISCUSSION OF AGENDA ITEM 10 BY COMMISSIONER OVERSTREET.

10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO AWARD BID #2016-15 TO MOSELEY CONSTRUCTION AND ACCEPTING HC OILFIELD SERVICE AS ALTERNATE IN THE EVENT THAT FEMA DOES NOT APPROVE THE WORK AS PROPOSED BY MOSELEY CONSTRUCTION FOR HEADWALL REPLACEMENT AND BRIDGE REPAIR ON COUNTY LINE ROAD (2 LOCATIONS), NETTLES CEMETERY RD (1 LOCATION) AND MIDWAY LOOP EAST (1 LOCATION) IN PRECINCT 4, MOSELEY CONSTRUCTION BID AMOUNT \$17,000 & HC BID AMOUNT \$21,799.96.

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 11 BY COMMISSIONER VINCENT.

11. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, APPROVAL OF VARIANCE TO EXEMPT FROM COUNTY SUBDIVISION REGULATIONS THE DEVELOPMENT OF DW SMITH ABSTRACT 522 TR 1 (40.44 ACRES) LOCATED IN PRECINCT 2 AND CONSISTING OF 4 TRACTS EACH EXCEEDING 10 ACRES WITH INDIVIDUAL ACCESS TO EXISTING PUBLIC ROADS WITH NO OTHER COMMON AREAS, VARIANCES BASED ON THE FOLLOWING:

- ALL 4 TRACTS ARE OVER 10 ACRES;
- EACH TRACT HAS DIRECT INDIVIDUAL ACCESS TO PUBLIC ROAD (HIDDEN VALLEY RD);
- NO COMMON AREAS TO BE DEDICATED FOR USE OF PROPERTY OWNERS;
- NO ROADS/STREETS TO BE CONSTRUCTED;
- ALL TRACTS COMPLY WITH MINIMUM BUILDING SETBACKS FROM PUBLIC ROADS.

ALL VOTING YES. (SEE ATTACHED)

12. FY2017 BUDGET PLANNING

- A. RECEIVE INFORMATION FROM TEXAS ASSOCIATION OF COUNTIES REPRESENTATIVE LISA McCAIG REGARDING EMPLOYEE HEALTH BENEFITS POOL AND PREMIUM ESTIMATES FOR FY2017.
- B. DISCUSSED AFTER C.

C. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO OFFER COUNTY EMPLOYEE HEALTH INSURANCE TO EMPLOYEES IN A MODIFIED CATEGORY OF EMPLOYMENT (WORKING AN AVERAGE OF 30 HOURS PER WEEK DURING THE MEASUREMENT PERIOD), PURSUANT TO THE AFFORDABLE CARE ACT, WITH THE MODIFIED CATEGORY EMPLOYEE PAYING 100% OF ANY RELATED PREMIUM.  
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 12.B BY ADRENA GILBERT & COURT.

12. B. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL TO MAKE NO CHANGES TO THE TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM PLAN FOR FY2017 (EFFECTIVE JANUARY 1, 2017), WITH NO RETIREE COST OF LIVING INCREASE.  
ALL VOTING YES.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 12<sup>TH</sup> DAY OF JULY, 2016 AT 11:33 A.M.

ALL VOTING YES.

  
SYDNEY MURPHY, COUNTY JUDGE

ATTEST:

  
SCHELANA HOCK, COUNTY CLERK

